

## **EMERGENCY COMMISSION MEETING**

### **Minutes**

**Tuesday, April 6, 2004**

A meeting of the Emergency Commission was held on Tuesday, April 6, 2004, in the Governor's Conference Room. Present in the conference room were Senator Bob Stenehjem and Secretary of State Al Jaeger. Members participating via telephone conference call were Governor John Hoeven, Senator Ray Holmberg, and Representative Ken Svedjan. Governor Hoeven called the meeting to order at 10:03 a.m.

Requests identified with an asterisk will be forwarded for the April 13, 2004, meeting of the Legislative Budget Section Committee per the provisions of N.D.C.C. § 54-16-04.1 and N.D.C.C. § 54-16-04.2.

**1. Game and Fish Department \* (Request # 1498)**

Request approval for increased spending authority of \$550,000 to accept federal funds from the US Fish and Wildlife Service (\$350,000) and from the Game and Fish Operating Fund (\$200,000) for grants line (\$550,000) to be used for repairs, extensions, and maintenance on boat ramp access locations on Lake Sakakawea.

Senator Stenehjem moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**2. State Tax Commissioner \* (Request # 1499)**

Request approval for increased spending authority of \$150,000 to accept pass-through federal funds from the North Dakota Department of Transportation for operating line (\$150,000) for development of an electronic return processing system for collection and audit of Motor Fuels Taxes.

Secretary Jaeger moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**3. Department of Financial Institution \* (Request # 1500)**

Request approval for increased spending authority of \$62,000 to utilize existing special funds for operating line (\$62,000) for legal fees and court costs (\$52,000) and for financial literacy training (\$10,000).

Secretary Jaeger moved for approval. Governor Hoeven seconded the motion. Voting yes were Hoeven, Svedjan, and Jaeger. Voting no were Holmberg and Stenehjem. Motion carried.

**4. Office of Management and Budget – State Radio Communications \* (Request # 1501)**

Request approval for increased spending authority of \$90,000 to accept pass-through federal bio-terrorism funds from the North Dakota Department of Health for operating line (\$90,000) for migration from analog to digital communications systems at the state and local level for transmitting information 24/7 between hospital emergency departments, state and local health officials, and law enforcement.

Senator Holmberg moved for approval. Rep. Svedjan seconded the motion. All members voted aye. Motion carried.

**5. North Dakota Veterans Home \* (Request # 1502)**

Request approval for increased spending authority of \$66,531 to accept federal funds from 1993 laundry remodeling grant, funded in 2003, from the Veteran's Administration for operating line (\$66,531) to use for expenses related to strategic plan funding, consulting fees, and software conversion and training fees related to bankruptcy of a vendor.

Rep. Svedjan moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**6. Department of Human Services \* (Request # 1503)**

Request approval for increased spending authority of \$16,000,000 to accept federal funds from the US Department of Health and Human Services for grants line (\$16,000,000) for Low Income Home Energy Assistance Program (LIHEAP) (\$13,400,000) for increased fuel costs and weatherization and for Food Stamp Entitlement Program (\$2,600,000).

Senator Holmberg moved for approval. Rep. Svedjan seconded the motion. All members voted aye. Motion carried.

**7. Department of Human Services \* (Request # 1504)**

Request approval for increased spending authority of \$2,300,000 to accept federal funds from the US Department of Health and Human for grants line (\$2,300,000) for additional children eligible under subsidized adoption program and for additional caseloads and costs related to foster care therapeutic program.

Rep. Svedjan moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**8. Department of Veterans Affairs (Request # 1505)**

Request transfer of \$25,000 from state contingency fund and approval for increased spending authority in operating line (\$25,000) for costs associated with strategic plan mandated by SB 2299, section 3, subsection 5 (2003 Session Laws, Chapter 301) i.e., "The board governing the veterans' home and the subcommittee governing the department of veterans' affairs shall conduct an annual performance evaluation of the administrator and commissioner, respectively, with the evaluation presented to the committee. The board and subcommittee shall create and implement a strategic plan for the veterans' home and the department of veterans' affairs, respectively. The board and the subcommittee annually shall report as to the status of the respective strategic plan to the committee. After receiving a report, the committee shall submit the report to the governor."

Senator Holmberg moved for approval with the added stipulation that any funds not used due to lower than anticipated costs for developing the strategic plan are to be returned to the state contingency fund. Senator Stenehjem seconded the motion. All members voted aye. Motion carried.

**9. Department of Health \* (Request # 1506)**

Request approval for increased spending authority of \$1,065,000 to accept federal funds from the U.S. Department of Justice for grants line (\$1,065,000) for grant to North Dakota Council of Abused Women Services for Safe Havens Supervised Visitation and Safe Exchange program (\$800,000) and for Encourage Arrest Policies and Enforcement of Protection Orders program (\$265,000).

Secretary Jaeger moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**10. Department of Health \* (Request # 1507)**

Request approval for increased spending authority of \$500,000 to accept federal funds from the US Environmental Protection Agency for grants line (\$500,000) to assist in assessing and re-mediating sites that are underdeveloped or underutilized due to actual or perceived contamination.

Rep. Svedjan moved for approval. Secretary Jaeger seconded the motion. All members voted aye. Motion carried.

**11. Department of Health \* (Request # 1508)**

Request approval for increased spending authority of \$1,200,000 to accept federal funds from the US Center for Disease Control for salaries line (\$55,000), operating line (\$553,000), capital assets line (\$192,000), and grants line (\$400,000) for Epidemiology and Lab Capacity Program to expand testing and reporting for the west nile virus program, mosquito program, hepatitis, and SARS.

Rep. Svedjan moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**12. Department of Agriculture \* (Request 1509)**

Request approval for increased spending authority of \$150,190 to accept federal Environmental Protection Agency pass-through funds from the North Dakota Department of Health for Project Safesend for the safe send line (\$150,190) to fund approximately eight collection sites.

Senator Holmberg moved for approval. Secretary Jaeger seconded the motion. All members voted aye. Motion carried.

**13. Department of Agriculture (Request 1510)**

Request approval for increased spending authority of \$35,000 to accept federal funds from the US Department of Agriculture, National Organic Program, for grants line (\$35,000) to reimburse registered and certified organic growers a portion of their certification expenses.

Secretary Jaeger moved for approval. Senator Holmberg seconded the motion. All members voted aye. Motion carried.

**14. Office of the Attorney General \* (Request 1511)**

Request approval for increased spending authority of \$200,000 to accept other funds for the agency's special fund operating line (\$200,000) to allow for the receipt and disbursement of litigation related monies received from other states participating in a multi-state antitrust lawsuit challenging the attempt by Oracle to purchase PeopleSoft.

Senator Holmberg moved for approval. Rep. Svedjan seconded the motion. All members voted aye. Motion carried.

The meeting adjourned at 10:50 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alvin A. Jaeger". The signature is fluid and cursive, with the first name "Alvin" and last name "Jaeger" clearly distinguishable.

Alvin A. Jaeger  
Secretary of State  
Secretary to Emergency Commission